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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,551	11/30/1999	RAGHURAMA BHYRAVABHOTLA	8470	7808

7590

04/09/2002

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EXAMINER

RUDY, ANDREW J

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 04/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/450,551

Applicant(s)

BHYRAVAHOTLA

Examiner

Andrew Joseph Rudy

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Applicant's preliminary amendment received February 19, 2002 has been entered.

Claims 1-14 are pending.

Specification

2. The specification is objected to because on page 6, line 4 and page 8, lines 18-19, the numbers "120A . . . 120D" are not disclosed in the drawing figures. Apparently, these numbers should be "102A . . . 102D" to conform to the drawings. Nonetheless, it is not clear to the examiner what applicant is referencing. Correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin,

III, US Patent No. 5,663,963 in view of Gauronski et al., US Patent No. 5,467,449.

Goodwin discloses an electronic price label system 10 (col. 1 thru col. 8).

Gauronski discloses an electronic self-diagnostic system having at least one processor 25 that helps determine the status of UI 52 of the system allowing independent functions of the system to operate.

To provide Goodwin a processor to perform self-diagnostic tests independently of a status request of the electronic price label system would have been obvious to one of ordinary skill in the art in view of Gauronski. Doing so would use well known self-diagnostic technology that uses a processor allowing for independent functions of a system to operate to provide a diagnostic test for an electronic price label. In essence, it appears the well known hardware of Goodwin incorporates well known self-diagnostic technology resulting in an obvious result for one of ordinary skill in the art.

4. Further pertinent references of interest:

Morita, US Patent 5,469,563, discloses self-diagnosis of a data system.

Roslak, US Patent 5,825,002, discloses a bar code reader 40 to scan a bar code located on a terminal dispenser as a self-diagnostic tool.

Roslak, US Patent 5,979,753, discloses a bar code reader 40 to scan a bar code located on a terminal dispenser as a self-diagnostic tool.

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Tracy et al., US Patent 5,979,757, discloses a bar code reader 240 to scan a bar code located on a terminal dispenser as a self-diagnostic tool.

Beach et al., US Patent 6,084,528, discloses a bar code reader 240 to scan a bar code located on a terminal dispenser as a self-diagnostic tool.

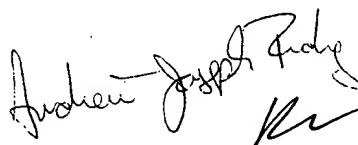
Oguro et al., US Patent 6,084,528, discloses a self-diagnostic system including input/output adapters, processors independent addresses (Fig. 3).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 703-308-7808.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

April 1, 2002



Richard Chilcot
Supervisory Patent Examiner
Technology Center 2550

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